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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/533,049	03/22/2000	Shashank Mohan Parasnis	MICR0173	8364

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MICROSOFT CORPORATION
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EXAMINER

BOUTAH, ALINA A

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 04/08/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/533,049	PARASNIS ET AL.	
	Examiner	Art Unit	
	Alina N Boutah	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 04 February 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>7</u> . | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on February 4, 2003 has been considered by the Patent Office.

Terminal Disclaimer

The terminal disclaimer filed on February 4, 2003 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of U.S. Patent Application Serial No. 09/431,678 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Amendment

Claims 1-29 are pending in the present application.

The Declaration filed on February 4, 2003 under 37 CFR 1.131 has been considered but is ineffective to overcome the Rutledge et al. reference.

The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Rutledge et al. reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897).

The "PowerCast Delivery" reference does not include all of the elements of each claim of the application. For example, the mentioned reference does not expressly teach the recording of presentation slides, audio and/or video content as a data stream, so that when the recording of the data stream is played, the presentation slides are displayed in synchrony reproduced audio and/or visual content on a viewer's computer. The "PowerCast Delivery" reference merely discloses "on-demand" playback of the presentation broadcast (pages 7 and 14), which is only a vague idea that the presentation can be recorded, but does not describe in detail in such a way as to enable one skilled in the art to understand how it can be done as specified in the claimed invention.

Drawings

The corrected or substitute drawings were received on February 4, 2003. These drawings are acceptable.

Claim Objections

Due to Applicants amendment, the objection of claim 12 is now withdrawn.

Response to Arguments

Applicants noted on page 5 of the amendment that the Rutledge reference does not disclose or suggest all of the elements of Applicants' claims. For example, Rutledge does not disclose that a data stream comprises slide display commands corresponding to slide trigger events. Applicants' argument has been considered but not persuasive. In Chapter 17, page 10 of

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10, under "Ending the Broadcast," Rutledge teaches pressing Esc to end a broadcast, and once the Esc key is pressed, the audience is sent back to the presentation lobby which tells them that the presentation has ended. This suggests that once the broadcast has ended, the streaming will inherently end too. Therefore, there is a correlation, in the data stream, between the pressings of the Esc key (slide trigger event) to end the presentation, which takes the audience back to the presentation lobby (slide display command). Therefore, the independent claims 1, 9, 16, 20 and 24 are unpatentable under 35 U.S.C. 102(a) as being anticipated by Rutledge.

Claims 2-8, 10-15, 17-19, 21-23, and 25-29 depend upon claims 1, 9, 16, 20 and 24, respectively. Because the Declaration filed under 37 CFR 1.131 has been denied, Rutledge remains as a reference, therefore the Patent Office maintains the rejections.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alina N Boutah whose telephone number is (703) 305-5104. The examiner can normally be reached on Monday-Friday (8:30 am-5:30 pm).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-9112 for regular communications and (703) 305-3718 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

ANB

ANB

April 4, 2003


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100